

REMARKS

This Reply is in response to the Office Action mailed on June 9, 2008 in which claims 1, 2, 5-8, 10, 12, 16, 26, 28-34, 36-38, 52-60, 62, 63 and 66-70 were rejected. With this response, claim 69 is amended. Claims 1, 2, 5-8, 10, 12, 16, 26, 28-34, 36-38, 52-60, 62, 63 and 66 -70 are presented for reconsideration and allowance.

I. Rejection of Claims 1-2, 26, 28-29 and 57-60 under 35 USC 102(e) based upon Donahue

Section 2 of the Office Action rejected claims 1-2, 26, 28-29 and 57-60 under 35 USC 102(e) as being anticipated by Donahue US Patent 6155669. For the reasons which follow, the rejection of claims 1-2, 26, 28-29 and 57-60 based upon Donahue should be withdrawn.

A. Claim 1

Claim 1 recites a printing system which includes (1) a first set of print bar assemblies configured to transfer a first percentage of an imaging medium onto a first side of the print media, (2) a second set of print bar assemblies configured to transfer a second percentage of the imaging medium onto the first side of the print media and (3) at least one other set of print more assemblies. Each individual set of print bar assemblies is configured to transfer a percentage of the imaging medium corresponding to the number of print bar assembly sets.

Donahue fails to disclose individual sets of print bar assemblies are configured to transfer a percentage of the imaging medium corresponding to the number of print bar assembly sets. Donahue is absolutely silent on this point. Accordingly, the rejection of claim 1 should be withdrawn. Claim 4 depends from claim 1 and overcomes the rejection for the same reasons.

B. Claim 26

Claim 26 recites a method which includes transferring a first percentage of an imaging medium onto a first side of the print media with a first printing unit and transferring a second

percentage of the imaging medium onto the first side of the print media with a second print unit. The percentages of the imaging medium transferred onto the print media with the print units correspond to the number of print units.

Donahue fails to disclose multiple print units which transfer percentages of imaging medium which correspond to the number of print units used to transfer the total amount of imaging medium. In other words, Donahue does not disclose that print bars 72, 74 and 76 (3 of them total) each transfer 33% of the imaging medium onto the print media.

In rejecting claim 26, the Office Action asserts that Donahue discloses this and refers to column 5, line 40-65 of Donahue. However, nowhere does this cited portion of Donahue even remotely disclose multiple print units which transfer percentages of imaging medium which correspond to the number of print units used to transfer the total amount of imaging medium. Column 5, line 40-65 recites in full:

The encoder system of the present invention is illustrated in FIG. 3, which shows the printer 10 of the present invention, including a first collinear print bar with an optical reader 71, a second collinear print bar 72, a third collinear print bar 74, and a fourth collinear print bar 76. Each of the print bars includes an optical reader 80 which is attached to one end of each of the print bar support substrates 82. Adjacent to the optical readers 80, on each of the print bars, is a plurality of thermal ink jet printhead dies 84, each of which deposits ink under control of the controller 34 responsive to pixel image data received from the personal computer 35 or other known image input devices.

During printing, each of the optical readers 80 receives light from a respective one of a plurality of light sources 86, the light being transmitted through the belt 22 which is semi-transparent, in one embodiment, at least in the portion of the belt including a plurality of fiducial marks 88. The fiducial marks 88 are located directly on the belt 22 at a pre-determined spacing such that the location of the recording sheet 58 can be accurately determined when passing by each of the print bars. The light sources may be located at another side of the belt than the optical readers or may be located at the same side as the optical readers.

(Donahue, Column 5, lines 40-65). Applicants respectfully request the Examiner to specifically point out where these two paragraphs supposedly disclose multiple print units which transfer percentages of imaging medium which correspond to the number of print units used to transfer the total amount of imaging medium. The bottom line is they DO NOT. The rejection of claim 1 is improper to be withdrawn. The rejection of claims 28, 29 and 68, which depend from claim 26, should be withdrawn for the same reasons.

C. Claim 29

Claim 29 depends from claim 26 further recites transferring at least one more percentage of the imaging medium with one or more print bar assemblies onto the print media with one or more print bar assemblies of at least one other print unit, a percentage of the imaging medium transferred onto the print media by a print in a corresponding to the number of print units.

Donahue fails to disclose that a percentage of imaging medium transferred onto the print media that corresponds to the number of units. Accordingly, the rejection of claim 29 should be withdrawn.

D. Claim 57

Claim 57 depends from claim 1 and recites that the first set of print bar assemblies and in the second set of print bar assemblies are configured to transfer same colored chromatic imaging medium to the medium.

Donahue fails to disclose a printing system having first and second sets of print bar assemblies that transfer the same colored chromatic imaging medium. In contrast, Donahue merely discloses print bars 72, 74 and 76. Nowhere does Donahue disclose that print bars 72, 74 and 76 ever transfer the same colored ink as one another. In fact, one of ordinary skill in the art would rightly presume that print bar 72, 74 and 76 deposit different colors of ink, such as cyan, magenta and yellow. The rejection of claim 57 is improper and should be withdrawn.

II. Rejection of Claims 5-8, 10, 12, 16, 30-34, 36-38, 52-60, 62-63 and 66-70 under 35 USC 103(a) based upon Donahue and Kitahara

Section 3 of the Office Action rejected claims 5-8, 10, 12, 16, 30-34, 36-38, 52-60, 62-63 and 66-70 under 35 USC 103(a) as being unpatentable over Donahue US Patent 6155669 in view of Kitahara US Patent 6672705. For the reasons which follow, the rejection of claims 5-8, 10, 12, 16, 30-34, 36-38, 52-60, 62-63 and 66-70 should be withdrawn.

A. Claim 16

Claim 16 recites a printing system which includes print units configured to transfer imaging medium onto a same side of a medium. The print units include a first print unit configured to transfer a first colored chromatic imaging medium and a second color chromatic imaging medium to the medium, a second print unit configured to transfer the same first colored chromatic imaging medium and the same second color chromatic imaging medium to the medium and a print unit that is configured to transfer **fixer** to the medium.

Nowhere do Donahue or Kitahara remotely disclose a print unit that transfers **fixer** to the medium. The Office Action acknowledges that Donahue is not disclose a print unit that transfers **fixer** to the medium (see Office Action dated June 9, 2008, top of page 7). As a result, the Office Action attempts to additionally rely upon Bob by simply referring to Figures 44-45 (Office Action dated June 9, 2008, page 9). However, nowhere do Figures 44-45 even remotely disclose a print unit that transfers **fixer** to the medium. This assertion is incredulous. Accordingly, the rejection of claim 16 should be withdrawn.

B. Claims 37 and 38

Claims 37 and 38 depend from claim 26. Each recites heaters or components of first and second heaters that ENVELOP a portion of the print media.

Neither Donahue nor Bob, alone or in combination, disclose any such heaters that ENVELOP the print media. In rejecting such claims, the Office Action acknowledges that Donahue does not disclose heaters or components of first and second heaters that ENVELOP a portion of the print media (see Office Action dated June 9, 2008, page 9). As a result, the Office Action attempts to additionally rely upon Bob by simply referring to Figures 44-45 (Office Action dated June 9, 2008, page 9). However, nowhere to Figures 44-45 even remotely disclose heaters that ENVELOP the print media. Once again, this assertion is incredulous. Accordingly, the rejection of claims 37 and 38 should be withdrawn.

C. Claim 67

Claim 67 depends from claim 1 and recites that a first set of print bar assemblies transfers a chromatic color, a second set of print bar assemblies transfers the same chromatic color AND that the first print bar assembly and the second print bar assembly transfer substantially the same percentages of imaging medium onto the print media, the percentages corresponding to a number of print bar assembly sets in the printing system.

Neither Donahue nor Kitahara, alone or in combination, even remotely discloses print bar assemblies that transfer the same chromatic color AND that the first print bar assembly and the second print bar assembly transfer substantially the same percentages of imaging medium onto the print media, the percentages corresponding to a number of print bar assembly sets in the printing system. In rejecting such claims, the Office Action acknowledges that Donahue does not discloses print bar assemblies that transfer the same chromatic color AND that the first print bar assembly and the second print bar assembly transfer substantially the same percentages of imaging medium onto the print media, the percentages corresponding to a number of print bar assembly sets in the printing system. As a result, the Office Action attempts to additionally rely upon Bob by simply referring to Figures 2-8 (Office Action dated June 9, 2008, page 7). However, nowhere do Figures 2-8 even remotely disclose print bar assemblies that transfer the same chromatic color AND that the first print bar assembly and the second print bar assembly transfer substantially the same percentages of imaging medium onto the print media, the

percentages corresponding to a number of print bar assembly sets in the printing system. Applicants respectfully request the Examiner specifically point out where Kitahara allegedly discloses the claim limitations. Otherwise, Applicants respectfully request the rejection of claim 67 be withdrawn

D. Claim 68

Claim 68 depends from claim 26 and further recites a total amount of imaging medium is transferred onto a first side of the print media with a total number N of print units, wherein each print unit transfers a percentage of the imaging medium substantially equal to $100\%/N$.

Neither Donahue nor Kitahara, alone or in combination, even remotely disclose the limitations of claim 68. In rejecting claim 68, the Office Action acknowledges that Donahue does not disclose a total amount of imaging medium is transferred onto a first side of the print media with a total number N of print units, wherein each print unit transfers a percentage of the imaging medium substantially equal to $100\%/N$. As a result, the Office Action attempts to additionally rely upon Bob by simply referring to Figures 2-43 (Office Action dated June 9, 2008, page 7). However, nowhere does Kitahara disclose a total amount of imaging medium is transferred onto a first side of the print media with a total number N of print units, wherein each print unit transfers a percentage of the imaging medium substantially equal to $100\%/N$.

On top of this, the Office Action fails to establish even a prima facie case of obviousness by failing to address the ACTUAL claim limitations. The Office Action asserts that Bob discloses:

the total amount of imaging medium is transferred onto the first side of the print media using a total number N of print units and wherein each of the print unit transfers a percentage of the imaging medium potential equal to $100\% N$ (figure: 2-43).

(Office Action dated June 9, 2008, page 7).

However, this is not even what claim 68 says. Claim 68 does not say “a total number N of print units and wherein each of the print unit transfers a percentage of the imaging medium potential equal to 100% N.” In complete contrast, claim 68 says that each print unit transfers 100%/N (100% DIVIDED BY N). Thus, the Office Action fails to establish even a prima facie case of obviousness. The rejection of claim 68 should be withdrawn.

E. Claim 69

Claim 69 is amended to correct a typographical error. Claim 69 recites a printing system which includes a first set of print bar assemblies, a second set of print bar assemblies and a third set of print bar assemblies. The first set of print bar assemblies, the second set of print bar assemblies and the third set of print bar assemblies each collectively span a width of the print media. Each print bar assembly of the first set of print bar assemblies and the second set of print bar assemblies transfers a first color of imaging medium across an entire width of the print media. The third set of print bar assemblies are located between the first set of print bar assemblies and the second set of print bar assemblies and transfer a second different color of imaging medium onto the print media.

Neither Donahue nor Kitahara, alone or in combination, discloses three sets of print bar assemblies, wherein the middle print bar assembly transfer is a different color than the first and third print bar assemblies. Accordingly, claim 69 overcomes the rejection.

F. Claim 70

Claim 70 recites a printing system which includes a first set of print bar assemblies and a second set of print bar assemblies that transfer the same chromatic color and wherein the first set of print bar assemblies and the second set of print bar assemblies transfer the same percentage of the imaging medium, the percentages corresponding to a number of print bar assembly sets in the printing system.

Neither Donahue nor Kitahara, alone or in combination, even remotely disclose such second print sets of print bar assemblies transferring the same chromatic color and the same percentage of imaging medium. Accordingly, the rejection of claim 70 should be withdrawn.

III. Conclusion

Upon entry of the amendments to the claims as set forth above, claims 1, 2, 5-8, 10, 12, 16, 26, 28-34, 36-38, 52 -60 and 62-63 and 66-70 are now pending in this application.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date Sept. 9, 2008

By Todd A. Rathe

RATHE PATENT & IP LAW
Customer No. 22879
Telephone: (262) 478-9353
Facsimile: (262) 238-1469

Todd A. Rathe
Attorney for Applicant
Registration No. 38,276